



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Masahiro HATAKEYAMA et al.**

Group Art Unit: **2881**

Serial No.: **10/511,396**

Filed: **March 23, 2005**

Confirmation No.: **2154**

For: **SAMPLE SURFACE INSPECTION APPARATUS AND METHOD**

Attorney Docket Number: **042879**

Customer Number: **38834**

**REQUEST FOR CORRECTED FILING RECEIPT**

**Mail Stop: Missing Parts**  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Date: May 20, 2005

Sir:

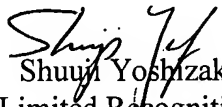
Please supply the undersigned attorney with a corrected filing receipt for the above-identified application. The undersigned also respectfully requests that the Patent and Trademark Office records be amended to reflect the correction.

In reviewing the Official Filing Receipt, we noted the Assignee's Information and the Foreign Applications' Information were not recorded. The Assignee's Information should read **--EBARA CORPORATION, Tokyo, JAPAN--**. And the Foreign Applications' Information should read **--JAPAN 114756/2002 04/17/2002; JAPAN 129515/2002 05/01/2002--**. Copies of **Transmittal Letter** and **Declaration** are enclosed which indicate the correct information. We are also enclosing a copy of the filing receipt with the corrections highlighted.

Request for Corrected Filing Receipt  
10/511,396  
042879

In the event any fees are required in connection with this paper, please charge Deposit  
Account No. 50-2866.

Respectfully submitted,  
**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

  
Shuuj Yoshizaki  
Limited Recognition  
Telephone: (202) 822-1100  
Facsimile: (202) 822-1111

SY/if

Enclosures: Official Filing Receipt; Transmittal Letter; Declaration; Limited Recognition



MAY 20 2005

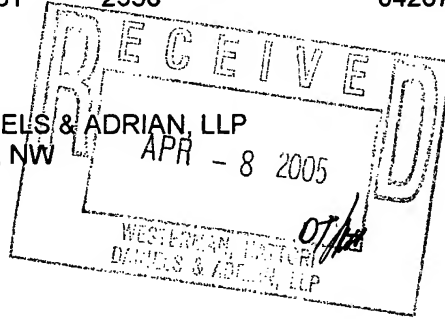
## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/511,396	03/23/2005	2881	2358	042879	19	32	5

38834

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP  
 1250 CONNECTICUT AVENUE, NW  
 SUITE 700  
 WASHINGTON, DC 20036



CONFIRMATION NO. 2154

## FILING RECEIPT



\*OC000000015628636\*

Date Mailed: 04/04/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Masahiro Hatakeyama, Kanagawa, JAPAN;  
 Kenji Watanabe, Kanagawa, JAPAN;  
 Takeshi Murakami, Tokyo, JAPAN;  
 Tohru Satake, Kanagawa, JAPAN;  
 Nobuharu Noji, Kanagawa, JAPAN;

Please Insert { Assignment for Published Patent Application  
 --EBARA CORPORATION, Tokyo, JAPAN--;

**Power of Attorney:** The patent practitioners associated with Customer Number 38834.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/04910 04/17/2003

## Foreign Applications

Please Insert { --JAPAN 114756/2002 04/17/2002--;  
 --JAPAN 129515/2002 05/01/2002--;

**Projected Publication Date:** 07/07/2005

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

## Sample surface inspection apparatus and method

**Preliminary Class**

250

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: October 15, 2004
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. Application. No. (if known):
INTERNATIONAL APPLICATION NO.: PCT/JP03/04910	INTERNATIONAL FILING DATE: April 17, 2003	PRIORITY DATE CLAIMED: April 17, 2002
TITLE OF INVENTION: <b>SAMPLE SURFACE INSPECTION APPARATUS AND METHOD</b>		
APPLICANT(S) FOR DO/EO/US: Masahiro HATAKEYAMA, Kenji WATANABA, Takeshi MURAKAMI, Tohru SATAKE and Nobuharu NOJI		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <u>XX</u> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <u>   </u> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <u>XX</u> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <u>XX</u> The US has been elected (Article 31).</li> <li>5. <u>XX</u> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): <ol style="list-style-type: none"> <li>a. <u>   </u> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <u>XX</u> has been transmitted by the International Bureau.</li> <li>c. <u>   </u> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <u>XX</u> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <u>XX</u> is attached hereto.</li> <li>b. <u>   </u> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <u>XX</u> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <u>   </u> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <u>   </u> have been transmitted by the International Bureau.</li> <li>c. <u>   </u> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <u>XX</u> have not been made and will not be made.</li> </ol> </li> <li>8. <u>   </u> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <u>   </u> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <u>   </u> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
<b>ITEMS 11. TO 20. BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b>		
11. <u>XX</u> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 together with the international search report, PTO-1449.		
12. <u>   </u> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. ASSIGNEE NAME AND ADDRESS: <b>EBARA CORPORATION, Tokyo, Japan</b> Please publish the assignee data with the application.		
13. <u>XX</u> A preliminary amendment.		
14. <u>   </u> An Application Data Sheet under 37 C.F.R. 1.76		
15. <u>   </u> A substitute specification.		
16. <u>   </u> A change of power of attorney and/or address letter.		
17. <u>   </u> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.		
18. <u>   </u> A second copy of the published international application under 35 U.S.C. 154(d)(4).		
19. <u>   </u> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		
20. <u>XX</u> Other items or information: 19 sheets of drawings.		



# DECLARATION FOR U.S. PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

## SAMPLE SURFACE INSPECTION APPARATUS AND METHOD

the specification of which is attached hereto unless the following is checked

☒ was filed on \_\_\_\_\_ as United States Application Number \_\_\_\_\_ and was filed on **April 17, 2003** as PCT International Application Number **PCT/IP03/04910** and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) – (d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application for which priority is claimed.

(List prior foreign applications. See note A)

114756/2002  
(Number)

Japan  
(Country)

17/4/2002  
(Day/Month/Year Filed)

Priority Claimed

☒ Yes ☐ No

129515/2002  
(Number)

Japan  
(Country)

1/5/2002  
(Day/Month/Year Filed)

☒ Yes ☐ No

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐ Yes ☐ No

\_\_\_\_\_  
(Number)

\_\_\_\_\_  
(Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

☐ Yes ☐ No

(See note B) ☐ See attached list for additional prior foreign applications

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(List prior U.S. Applications)

Status

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

☐ Patented ☐ Pending ☐ Abandoned

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

☐ Patented ☐ Pending ☐ Abandoned

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

☐ Patented ☐ Pending ☐ Abandoned

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

☐ Patented ☐ Pending ☐ Abandoned

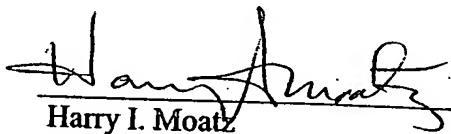
**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

Shuji Yoshizaki is hereby given limited recognition under 37 CFR §10.9(b) as an employee of Westerman Hattori Daniels & Adrian, LLP. to prepare and prosecute patent applications wherein the patent applicant is the client of Westerman Hattori Daniels & Adrian, LLP., and the attorney or agent of record in the applications is a registered practitioner who is a member of Westerman Hattori Daniels & Adrian, LLP. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Shuji Yoshizaki ceases to lawfully reside in the United States, (ii) Shuji Yoshizaki's employment with Westerman Hattori Daniels & Adrian, LLP. ceases or is terminated, or (iii) Shuji Yoshizaki ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

**Expires: July 7, 2007**



**Harry I. Moatz  
Director of Enrollment and Discipline**